ARTICLE 17 WIRELESS COMMUNICATIONS FACILITIES

1701 TITLE

This article shall be known as the Sedona Wireless Communications Facilities Ordinance.

1702 PURPOSE

The purpose of this article is to promote the following:

A. Protection of the unique natural beauty and small town character of the City as specified in the Sedona Community Plan while meeting the needs of its citizens to enjoy the benefits of wireless communications services;

B. Promote the health, safety and general welfare of the public by regulating the siting of wireless communication facilities, including satellite earth stations;

C. Consideration of historical and environmentally sensitive areas as well as consideration of potential impacts on adjacent properties;

D. Minimize the impacts of wireless communication facilities on surrounding areas by establishing standards for location, structural integrity and compatibility;

E. Encourage the location and collocation of wireless communication equipment on existing structures thereby minimizing new visual, aesthetic and public safety impacts, effects upon the natural environment and wildlife, and to reduce the need for additional antenna-supporting structures;

F. Antenna configurations which minimize additional visual impact through careful and innovative siting, design, landscape and camouflage techniques;

G. Accommodate the growing need and demand for wireless communication services;

H. Encourage coordination between suppliers of wireless communication services in the City;

I. Respond to the policies embodied in the Telecommunications Act of 1996 in such a manner as not to unreasonably discriminate between providers of functionally equivalent personal wireless service or to prohibit or have the effect of prohibiting personal wireless service in the City;

J. Establish predictable and balanced regulations governing the construction and location of wireless communications facilities, within the confines of permissible local regulation;

K. Establish review procedures to ensure that applications for wireless communications facilities are reviewed and acted upon within a reasonable period of time.

1703 ADMINISTRATION

1703.01 Applicability

A. Except as provided for in Section 1703.01-B below, this section shall apply to development activities including installation, construction, or modification to the following wireless communications facilities:

1. Existing antenna-supporting structures;
2. Proposed antenna-supporting structures;
3. Public antenna-supporting structures;
4. Replacement of existing antenna-supporting structures;
5. Collocation on existing antenna-supporting structures;
6. Attached wireless communications facilities;
7. Stealth wireless communications facilities;
8. AM/FM/DTV Broadcasting facilities.

B. The following items are exempt from the provisions of this section, notwithstanding any other regulations established in the Land Development Code of the City of Sedona:

1. Non-commercial, amateur radio antennae which are less than sixty (60) feet in height. Non-commercial, amateur, ham radio or citizen's band antenna- supporting structures, antennae or antenna arrays with heights greater than sixty (60) feet shall be regulated in accordance with Section 1708;
2. Regular maintenance of any existing wireless communications facility that does not include the placement of a new wireless communications facility;

3. The substitution or change of existing antennae or antenna panels or other equipment on an existing antenna-supporting structure by the same owner or wireless communications facility provider provided that the substituted antennae or equipment meet building code requirements (including wind loading) and provided such change does not increase the overall height of the structure;

4. A government-owned wireless communications facility, upon the declaration of a state of emergency by federal, state, or local government, and a written determination of public necessity by the Chief of Police; except that such facility must comply with all federal and state requirements. No wireless communications facility shall be exempt from the provisions of this section beyond the duration of the state of emergency.

5. Data, video or information transmission as part of the day-to-day operations of a commercial business, including for example, processing of credit card sales, automatic inventory control, etc. which are mounted on and do not extend more than 2 (two) meters above the roof surface of any building. Where technologically feasible, such antennae shall not be mounted on an exterior parapet wall facing a public or private right-of-way.

6. All users (i.e. both commercial and residential) of a wireless Internet service for which a send/receive antenna is required to be located at the point of use. Where technologically feasible, such antennae shall not be mounted on an exterior parapet wall facing a public or private right-of-way.

7. Non-commercial antennae and wireless communication facilities used solely for transmissions and/or receipt by a single user, including for example, satellite dishes for TV reception less than one (1) meter in diameter. Where technologically feasible, such antennae shall not be mounted on an exterior parapet wall facing a public or private right-of-way.

8. Any antenna supporting structure that is damaged or destroyed by fire, flood, explosion, earthquake, war, riot, or act of God may be reconstructed and used as before if done within twelve (12) months of such calamity, provided that there is no increase in structure height, width or number of antennae. If a new larger antenna supporting structure is proposed as a replacement structure, then the requirements of Section 1703.02 shall be satisfied.

C. Siting of a Wireless Communications Facility shall be in accordance with the following siting alternatives hierarchy:

   1. Stealth Wireless Communications Facility;

   2. Attached Wireless Communications Facility;

   3. Collocation on Existing Antenna-Supporting Structure;

   4. Replacement of Existing Antenna-Supporting Structure;

   5. New Antenna-Supporting Structure;

   6. AM/FM/DTV Broadcasting Facilities.

D. The preferred order of ranking, from highest to lowest, shall be 1, 2, 3, 4, 5 and 6. Where a lower ranked alternative is proposed, the applicant shall file an affidavit demonstrating that despite diligent efforts to adhere to the established hierarchy within the Geographic Search Area, as determined by a qualified radio frequency engineer, higher ranked options are not technologically feasible.

1703.02 Approvals Required

A. All new antenna-supporting structures and replacement antenna-supporting structures intended for commercial use, shall obtain a Conditional Use Permit as set forth in Section 402 - Conditional Uses relative to the review criteria provided in Section 1703.03, prior to submittal for building permit approval and the initiation of construction.

B. All applications for collocation of a new wireless communications facility on an existing antenna-supporting structure that has been designed and approved to accommodate multiple wireless communications facility providers shall be subject to review and approval by the Director, relative to the review criteria provided in Section 1703.03. The Director may require an application for collocation to be considered by the Commission at a public hearing as set forth in Section 402 – Conditional Uses on the basis of potential location, aesthetic or visually related impacts.

C. All applications for new attached wireless communications facilities shall be subject to review and approval by the Director, relative to the review criteria provided in Section 1703.03. The Director may require an application for a new attached wireless communications facility to be considered by the Commission at a public hearing as set forth in Section 402 – Conditional Uses on the basis of potential location, aesthetic or visually related impacts as a result of the proposed antenna's height, color, size, etc.

D. All applications for new stealth wireless communications facilities shall be subject to review and approval by the Director, relative to the review criteria provided in Section 1703.03. The Director may require an application for a new stealth wireless communications facility to be considered by the Commission at a public hearing as set forth in Section 402 – Conditional Uses on the basis of potential location, environmental, aesthetic or visually related impacts as a result of the proposed stealth antenna's height, color, size, etc.

E. All applications for new AM/FM/DTV Broadcasting facilities shall obtain a Conditional Use Permit as set forth in Section 402 - Conditional Uses relative to the review criteria provided in Section 1703.03, prior to submittal for building permit approval and the initiation of construction.

1703.03 Approval Criteria

In considering any application for a Conditional Use Permit for the establishment of a communication facility, the Commission's decision shall be guided by the application of the following criteria;

A. Use of suitable existing towers or other structures is preferred over placement of new antenna supporting structures;

B. New structures which do not appear to be antenna-supporting structures and which do not exceed height limitations for the district;

C. Wireless communication facilities that cannot be readily observed from adjacent streets are preferred;

D. Collocation of multiple uses on a single wireless communication facility will have significant favorable weight in evaluating the application;

E. Network development plans that achieve the fewest number of wireless communication facilities of all users reasonably necessary for commercial coverage;

F. Location in the least restrictive district;

G. Suitability of the location for collocation of governmental public service wireless communication facilities.

1703.04 Location by Zoning District

A. No wireless communications facilities shall be allowed in any Residential, Open Space, National Forest, or Neighborhood Commercial district, except as provided in Paragraphs B and C below. Wireless communications facilities may be permitted in the following non-residential districts subject to approval by the Director or Commission as set forth in Section 1703.02:

OP -	Office Professional District
C-1 -	General Commercial District
C-2 -	General Commercial District
C-3 -	Heavy Commercial/Light Manufacturing District
RC -	Resort Commercial District
PD -	Planned Development District
CF -	Community Facilities District
L -	Lodging District
P -	Parking District

B. City Parks. Attached and stealth wireless communications facilities may be permitted within City park areas. Consideration will be given to locating wireless communications facilities on athletic field lighting standards, provided the equipment does not interfere with the primary purpose of the lights and does not detract from the overall aesthetics of the facility.

C. Residential Districts. New antenna-supporting structures are prohibited within residential districts. In residential zoning districts, stealth wireless communications facilities may only be permitted on parcels where the principal use is not as a residential structure or residential accessory structure. Examples of appropriate locations include churches, schools, water tanks, etc.

1703.05 Application Submittal Requirements

A. Application. An application for a wireless communications facility shall include the following information.

1. A completed application form and any appropriate fees;

2. An accurate inventory of applicant's existing towers, antennae, and wireless communications facilities, which are existing or for which application for approval or permit has been submitted for zoning or construction, which are within the jurisdiction of this ordinance or within one mile of the City limits. The inventory shall include the location, height, and type of each facility.

3. A map of all locations owned, leased or operated by the applicant and their coverage which are located within 10 miles of the proposed site or which are capable of communication with the proposed site by wireless means.

4. An accurate site plan of the proposed wireless communications facility showing the means of access, all adjacent roadways, and a complete landscape plan;

5. A scaled drawing of the exterior of the proposed wireless communication facility, clearly showing the method of fencing; coloration; materials; illumination; and camouflage;

6. Photo-simulated post construction renderings of the proposed wireless communications facilities, equipment enclosures, and ancillary structures as they would look after construction from locations to be determined during the pre-application conference (but shall, at a minimum include renderings from the vantage point of any adjacent roadways and occupied commercial or residential structures), as well as photo-simulations of the antenna-supporting structure after it has been fully developed with antenna structures (applicant may assume for the purpose of the simulation that other antenna structures on the facility will resemble their proposed structure in size and design).

7. Exterior paint or finish samples of the colors to be used in the construction of the wireless communications facility;

8. Proof of ownership or a letter of authorization from the property owner stating that the applicant may install a wireless communications facility on their property.

9. A signed statement from the wireless communications facilities owner or owner's agent stating that the radio frequency emissions comply with FCC standards for such emissions.

10. Proof of an FCC license to transmit and/or receive radio signals in the City of Sedona.

11. Prior to issuance of a building permit, a stamped or sealed structural analysis of the proposed antenna-supporting structure prepared by a licensed Arizona engineer indicating the proposed and future loading capacity of the antenna-supporting structure.

12. Prior to issuance of a building permit, proof of FAA compliance with Subpart C of the Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace.

13. A signed statement from the wireless communications facility owner agreeing to allow the collocation of other wireless equipment on the proposed antenna-supporting structure.

14. An ownership map of property owners within three hundred (300) feet of the exterior boundaries of the subject property as shown on the last assessment of the property. A list of these property owners shall also be provided on mailing labels and keyed to a map showing the location of the identified properties.

15. Cover letter describing the overall project and addressing in writing how the proposed wireless communications facility satisfies the requirements of this article 17 of the Land Development Code.

16. All other documentation, evidence, or materials necessary to demonstrate compliance with the applicable approval criteria set forth in this chapter, including where applicable:

    a. Existing wireless communications facilities to which the proposed facility will be a handoff candidate, including latitude, longitude, and power levels of each;

    b. A radio frequency plot indicating the coverage of existing wireless communications sites, and that of the proposed site sufficient to demonstrate radio frequency search area, coverage prediction, and design radius, together with a certification from the applicant's radio frequency engineer that the proposed facility's coverage or capacity potential cannot be achieved by any higher ranked alternative such as collocation, attached facility, replacement facility or stealth facility;

    c. Prior to issuance of a building permit, a statement by a qualified professional engineer specifying the design structural failure modes of the proposed facility; and

    d. Antenna heights and power levels of the proposed facility and all other facilities on the subject property.

    e. A statement from the applicant that demonstrates that alternative locations, configurations, and facility types have been examined; and addresses in narrative form the feasibility of any alternatives that may have fewer adverse effects on adjacent properties than the facility, configuration, and location proposed including but not limited to:

        i) Height;

        ii) Mass and scale;

        iii) Materials and color;

        iv) Illumination;

        v) Information addressing the following items

            (a) the extent of any commercial development within the Geographic Search Area of the proposed facility;

            (b) the proximity of the structure to any residential dwellings;

            (c) the proximity of the structure to any public buildings or facilities;

            (d) the existence of tall and like structures within the Geographic Search Area of the proposed structure;

17. Citizen Participation Plan and Report as set forth in Section 408.

18. A statement that the proposed facility conforms with State of the Art, as defined herein, or alternatively, that State of the Art technology is unsuitable for the proposed facility. Costs of State of the Art technology that exceed facility development costs shall not be presumed to render the technology unsuitable.

19. Any other materials and data as may be required by the Director.

B. Pre-Application Conference. A pre-application conference is required for any new wireless communications facility.

   At the time a pre-application conference is held, parties, including other wireless service providers licensed to provide service within the City of Sedona as indicated on the list of wireless service providers and interested parties provided by the City's Community Development Department:

"Pursuant to the requirements of the City of Sedona Land Development Code, (name of provider) is hereby providing you with notice of our intent to meet with the City of Sedona Department of Community Development in a pre-application conference to discuss the location of a free-standing wireless communications facility that would be located at _____(location)_____. In general, we plan to construct a support structure of _____ feet in height for the purpose of providing _____(type of wireless service)_____. Please inform the City of Sedona Department of Community Development and us if you have any desire for placing additional wireless facilities or equipment within two (2) miles of our proposed facility. Please provide us with this information within twenty (20) business days after the date of this letter. Your cooperation is sincerely appreciated.

Sincerely, (pre-application applicant, wireless provider)"

Included with the notice shall be the latitude and longitude (NAD 83) of the proposed structure. Within twenty (20) days of receiving a timely response from an interested potential co-applicant, the applicant shall inform the respondent and the Department of Community Development in writing as to whether or not the potential co-location is acceptable and under what conditions. If the co-location is not acceptable, then the applicant must provide the respondent and the Department of Community Development written justification as to why the co-location is not technologically feasible.

1703.06 Expert Review

A. Where due to the complexity of the methodology or analysis required to review an application for a wireless communication facility requiring a Conditional Use Permit, the Director may require a technical review by a third party expert. The costs of this review shall be borne by the applicant, and shall be in addition to applicable Conditional Use Permit and building permit fees. The applicant shall submit a deposit of $2,000.00 towards the cost of such technical review upon notification from the Director that a technical review is required, and shall remit any outstanding balance to the City for such review prior to issuance of a building permit. The maximum fee for such review shall be in accordance with the schedule set forth in subsection E below.

B. The expert review may address any or all of the following:

1. The accuracy and completeness of submissions;

2. The applicability of analysis techniques and methodologies;

3. The validity of conclusions reached;

4. Whether the proposed wireless communications facility complies with the applicable approval criteria set forth in these regulations;

5. Other matters deemed by the Director to be relevant to determining whether a proposed wireless communications facility complies with the provisions of these regulations.

C. Based on the results of the expert review, the Director may require changes to the applicant's application or submittals.

D. The applicant shall reimburse the City within fifteen (15) working days of the date of receipt of an invoice for expenses associated with the third party expert's review of the application. Failure by the applicant to make reimbursement pursuant to this section shall abate the pending application until paid in full.

E. Expert Review Fees shall not exceed the following maximum amounts:

1 Stealth Wireless Communications Facility $3,000.00
2 Attached Wireless Communications Facility $3,500.00
3 Collocation on Existing Antenna Support Structure - $4,000.00
4 Replacement of Existing Antenna Supporting Structure - $4,500.00
5 New Antenna Support Structure - $7,500.00
6 AM/FM/TV/DTV Antenna Support Structure $10,000.00

1703.07 Essential Public Services

A. Wireless communication facilities shall be regulated and permitted pursuant to this Article and shall not be regulated or permitted as essential services, public utilities, or private utilities.

B. Applicant agrees that their service is subordinate to essential public communications services, and agrees to suspend use of any site, which may be in conflict with such services, regardless of the reason for such conflict, until such conflict is resolved.

1703.08 Enforcement

Wireless communications facilities that are not in compliance with all portions of this ordinance shall be removed at the owner's expense if not brought into compliance within thirty (30) days after written demand by the City of Sedona.

1704 GENERAL DEVELOPMENT AND DESIGN STANDARDS

1704.01 New and Replacement Antenna-supporting Structures

The following standards apply to new antenna-supporting structures:

A. Set Backs. New antenna-supporting structures shall be located as follows:

1. Away from public rights of way by a minimum distance of one (1) foot for each one (1) foot of tower height (Figure 1);

2. Away from residential properties by a minimum distance of 150% of the tower height;

3. Notwithstanding the above requirements, if the antenna-supporting structure has been constructed using "breakpoint" design technology, the minimum setback distance shall be equal to 110% of the distance from the top of the structure to the "breakpoint" level of the structure. For example, on a 100-foot tall monopole with a "breakpoint" at 80-feet, the minimum setback distance would be 22 feet (110% of 20 feet, the distance from the top of the monopole to the "breakpoint"). Certification by an Arizona professional engineer of the "breakpoint"design and the design's fall radius shall be provided together with the other information required in Section 1704.05.

B. Height. The overall height of any antenna-supporting structure, antenna and/or antenna array shall not be greater than a maximum of ninety (90) feet. Height for all purposes in this Section shall mean the linear distance from the ground to the highest physical point on the antenna-supporting structure, including all antennae and antennae arrays.

C. Construction. New antenna-supporting structures shall have a monopole type construction only, and shall not be guyed or have a lattice type construction.

D. Structural Integrity.

1. The entire antenna-supporting structure and all appurtenances shall be designed pursuant to the wind speed design requirements of ASCE 7-95, including any subsequent modification to those specifications.

2. The new antenna-supporting structure shall be designed to accommodate the maximum amount of wireless communications equipment, including that of other wireless communication service providers. The exact amount of potential additional equipment to be accommodated shall be agreed upon during a pre-application conference and recorded in a Letter of Understanding resulting from the conference. In all cases, the minimum number of collocated facilities on a new antenna-supporting structure between eighty (80) and ninety-three (93) feet shall be three (3).

E. Antenna Mounting. Antennae and related communications equipment mounted on an antenna-supporting structure shall be mounted as close to the structure as possible.

F. Lighting.

1. New antenna-supporting structures shall be illuminated in accordance with FAA requirements to provide aircraft obstruction lighting, where required.

2. All other on-site lighting required for security or emergency purposes shall be activated by timers or motion detectors.

G. Collocation Feasibility.

1. No antenna-supporting structure shall be permitted unless the applicant demonstrates that no existing antenna-supporting structure can accommodate the applicant's proposed facility; or that use of such existing facilities would prohibit personal wireless services in the area of the City to be served by the proposed antenna-supporting structure.

2. Evidence submitted to demonstrate that no existing wireless communications facility could accommodate the applicant's proposed facility may consist of any of the following:

a. No existing wireless communications facilities located within the geographic area meet the applicant's engineering requirements.

b. Existing wireless communications facilities are not of sufficient height to meet the applicant's engineering requirements.

c. Existing wireless communications facilities do not have sufficient structural strength to support the applicant's proposed wireless communications facilities and related equipment.

d. The applicant demonstrates that there are other limiting factors that render existing wireless communications facilities unsuitable.

H. Color.

1. New antenna-supporting structures shall maintain a galvanized gray finish or other accepted contextual or compatible color in accordance with the requirements of Article 9, except as required by federal rules or regulations.

2. Antenna and related communications equipment attached to antenna-supporting structures shall be of a color compatible with the color of the supporting structure so as to make the antenna and related communications equipment visually unobtrusive in accordance with the provisions of Article 9.

I. Radio Frequency Emissions. The radio frequency emissions shall comply with FCC standards for such emissions.

J. Intensity Requirements.

1. For the purposes of impact fee calculation, the floor area for a wireless communications facility shall be considered as only the total square footage of all equipment enclosures; and

2. The following shall be considered as development area and shall be required in order to meet the setbacks and open space ratio requirements for the zoning district where they are located:

a. The area beneath all equipment enclosures;

b. The area of the antenna-supporting structure foundation at or above grade;

c. The area beneath ancillary structures;

d. The area inside the antenna-supporting structure framework.

K. Security. An opaque fence or masonry wall no greater than eight (8) feet in height from finished grade shall be provided around the perimeter of all Development Areas for ground-mounted wireless communications facilities. The decision to provide either a fence or a wall shall rest with the Commission. If a fence is used to enclose the site, the fence shall be constructed of wire mesh, metal picket, or an alternative material as approved by the Director. If a wall is used to enclose the site, the wall shall have a decorative finish of native stone, stucco, split-faced block, brick, or an alternative material as approved by the Director. Access to the Development Area shall be through a locked gate.

L. Landscaping. Landscaping and buffering shall be required around the perimeter of Development Areas, except that the Planning and Zoning Commission may waive the required landscaping otherwise required under Section 910 of this Code on one or more sides of the Development Areas or allow the placement of required landscaping elsewhere on the Development Area when the required landscape area is located adjacent to undevelopable lands or lands not in public view. Landscaping shall be installed on the outside of the perimeter fence or wall. Existing vegetation shall be preserved to the maximum extent practicable and may be used as a substitute for or in supplement towards meeting the landscaping requirements, subject to approval by the Planning and Zoning Commission. Landscaping shall be placed in a manner so as to maximize the screening between residential areas and the wireless communications facility and minimize the view of the facility from any residential areas.

M. Signage.

1. The only signage that is permitted upon an antenna-supporting structure, equipment enclosures, or fence (if applicable) shall be informational, and for the purpose of identifying the antenna-supporting structure, (such as ASR registration number) as well as the party responsible for the operation and maintenance of the facility, its current address and telephone number, security or safety signs, and property manager signs (if applicable).

2. If more than two hundred twenty (220) voltage is necessary for the operation of the facility and is present in a ground grid or in the tower, signs located every twenty (20) feet and attached to the fence or wall shall display in large, bold, high contrast letters (minimum height of each letter: four (4) inches) the following: "HIGH VOLTAGE - DANGER."

N. Control Buildings and Ground-Mounted Equipment.

1. The control buildings shall be designed to be architecturally compatible with adjacent buildings and shall comply with the provisions of Articles 9 and 10. The control buildings shall not be placed in minimum setback areas as required in Article 6, nor shall they encroach into required landscape areas.

2. Ground mounted equipment shall not be visible from beyond the boundaries of the site and shall be screened by a solid wall or fence and dense landscaping materials as described in paragraphs K and L above. (Figure 2).

O. Maintenance. Wireless communication facilities shall be maintained in compliance with standards contained in applicable state or local building codes and the applicable health and safety standards established by the FCC or other bodies having jurisdiction, as amended from time to time.

P. Adverse Effects on Properties.

1. New antenna-supporting structures shall be configured and located in a manner that shall minimize adverse effects including visual impacts on adjacent properties. The applicant shall demonstrate that alternative locations, configurations, and facility types have been examined and shall address in narrative and graphic form the feasibility of any alternatives that may have fewer adverse effects on adjacent properties than the facility, configuration, and location proposed.

2. The following attributes shall be considered from vantage points at adjacent properties, roadways and occupied structures:

a. Height and location;

b. Mass and scale;

c. Materials and color;

d. Illumination;

e. Existing and proposed vegetation and intervening structures.

3. An applicant shall demonstrate through the photo-simulation requirements under Section 1704.05 that the project design employs each of these attributes in a manner that minimizes adverse effects to the greatest extent feasible.

1704.02 Collocations on Existing Antenna-supporting Structures

The following standards apply to collocation of new wireless communications facilities on existing or proposed antenna-supporting structures:

A. Radio Frequency Emissions. The radio frequency emissions shall comply with FCC standards for such emissions.

B. Intensity Requirements.

1. For the purposes of impact fee calculation, the floor area for a wireless communications facility shall be considered as only the total square footage of all equipment enclosures; and

2. The following shall be considered as development area and shall be required to meet the setbacks and open space ratio requirements for the land use district where they are located:

a. The area beneath all equipment enclosures;

b. The area of the antenna-supporting structure foundation at or above grade;

c. The area beneath ancillary structures;

d. The area inside the antenna-supporting structure framework.

C. Signage.

1. The only signage that is permitted upon an antenna-supporting structure, equipment enclosures, or fence (if applicable) shall be informational, and for the purpose of identifying the antenna-supporting structure, (such as ASR registration number) as well as the party responsible for the operation and maintenance of the facility, its current address and telephone number, security or safety signs, and property manager signs (if applicable).

2. If more than two hundred twenty (220) voltage is necessary for the operation of the facility and is present in a ground grid or in the tower, signs located every twenty (20) feet and attached to the fence or wall shall display in large, bold, high contrast letters (minimum height of each letter: four (4) inches) the following: "HIGH VOLTAGE - DANGER."

D. Height. A collocation on an existing antenna-supporting structure shall not increase the overall height of the antenna-supporting structure, antenna and/or antenna array beyond that allowed under Section 1704.01-B.

E. Structural Integrity. Any collocation on an existing antenna-supporting structure shall meet building code requirements (including wind loading).

F. Antenna Mounting. Antennae and related communications equipment mounted on a communications tower shall be mounted as close to the tower as possible.

1704.03 Attached Wireless Communications Facilities

The following standards apply to new attached wireless communications facilities:

A. Height. The overall height of any attached wireless communications facility, antenna and/or antenna array shall not be greater than fifteen (15) feet. Height for all purposes in this Section shall mean the linear distance from the rooftop where the antenna is attached to the highest physical point on the wireless communications facility.

B. Construction. New attached wireless communications facilities shall have a monopole type construction only and shall not be guyed or have a lattice type construction.

C. Structural Integrity New attached wireless communications facilities shall be designed to meet all building code requirements (including wind loading).

D. Antenna Mounting. Antennae and related communications equipment shall be mounted as close to the support structure as possible.

E. Color.

1. New wireless communications facilities shall maintain a galvanized gray finish or other accepted contextual or compatible color in accordance with the requirements of Article 9, except as required by federal rules or regulations.

2. Antenna and related communications equipment attached to attached wireless communications facilities shall be of a color compatible with the color of the supporting structure so as to make the antenna and related communications equipment visually unobtrusive in accordance with the provisions of Article 9.

F. Radio Frequency Emissions. The radio frequency emissions shall comply with FCC standards for such emissions.

G. Intensity Requirements.

1. For the purposes of impact fee calculation, the floor area for an attached wireless communications facility shall be considered as only the total square footage of all equipment enclosures; and

2. The following shall be considered as development area and shall be required to meet the setbacks and open space ratio requirements for the land use district where they are located:

   a. The area beneath all equipment enclosures;

   b. The area of the antenna-supporting structure foundation;

   c. The area beneath ancillary structures;

   d. The area inside the antenna-supporting structure framework.

H. Signage.

1. The only signage that is permitted upon an attached wireless communications facility, equipment enclosure, or fence (if applicable) shall be informational, and for the purpose of identifying the antenna-supporting structure, (such as ASR registration number) as well as the party responsible for the operation and maintenance of the facility, its current address and telephone number, security or safety signs, and property manager signs (if applicable).

2. If more than two hundred twenty (220) voltage is necessary for the operation of the facility and is present in a ground grid or in the structure, signs located every twenty (20) feet and attached to an enclosing fence or wall shall display in large, bold, high contrast letters (minimum height of each letter: four (4) inches) the following: "HIGH VOLTAGE - DANGER."

I. Screening and Placement.

1. Attached wireless communications facilities shall be screened by a parapet or other device so as to minimize its visual impact as measured from the boundary line of the subject property. Attached facilities shall be placed in the center of the building where reasonably possible so as to further minimize visual impact;

2. Building-mounted and rooftop-mounted equipment shall be placed in such a manner as to be compatible with the existing structure. The attached wireless communications facility shall be constructed to integrate with the existing architecture. There shall be as little contrast as possible between the communications equipment and the structure.

3. An attached wireless communications facility shall only be attached to a commercial, retail, office professional, hotel, institutional, or public building.

1704.04 Stealth Wireless Communications Facilities

The following standards apply to new stealth wireless communications facilities:

A. Setbacks. Stealth facilities shall meet the minimum setback requirements for the zoning district where they are located for the type of structure used or simulated. Notwithstanding the above requirement, if a stealth antenna is to be located on a utility pole, light standard or similar pole, and an increase in height is required to accommodate the stealth antenna, then provided that the increase in height (including antennae and antennae arrays) is less than or equal to 25% of the existing pole height, then minimum setbacks for the zoning district within which it is located would not have to be met. However, if an increase in pole height of greater that 25% of its existing height (including antennae and antennae arrays) is required, then the minimum setbacks for the zoning district shall be satisfied.

B. Construction. No new stealth wireless communications facilities shall be guyed or have a lattice type construction.

C. Structural Integrity. The stealth facility shall be designed to meet all building code requirements (including wind loading).

D. Aesthetics.

1. No stealth facility, whether fully enclosed within a building or otherwise, shall have antennae, antenna arrays, transmission lines, equipment enclosures or other ancillary equipment that is readily identifiable from the public domain as wireless communications equipment. Examples of stealth facilities include, but are not limited to, flagpoles, light standards, utility poles, church steeples, bell towers, clock towers, and artificial trees.

2. Stealth wireless communications facilities shall be placed and constructed in such a manner as to be compatible with the existing structure or surrounding natural terrain. There shall be as little contrast as possible between the communications equipment and the structure or natural terrain.

E. Placement of Equipment for Pole-mounted Antennae. Any ground mounted equipment and equipment shelters shall be located outside of the public right-of-way. Such ground mounted equipment and equipment shelters shall be painted to comply with the color requirements of Section 904, and shall be screened from public view with appropriate landscaping. In the alternative, equipment may be mounted on the pole provided that access to the pole and to any other services or equipment above it is not impeded. Pole mounted equipment shall also be designed and placed to be aesthetically compatible with existing and proposed uses and as visually inconspicuous as possible.

1704.05 AM/FM/TV/DTV Broadcasting Facilities

The following standards apply to new AM/FM/DTV Broadcasting Facilities:

A. An antenna, antenna array and/or antenna supporting structure for AM/FM/TV/DTV facilities licensed by the Federal Communications Commission shall only be permitted in zoning districts “C-1, C-2 or C-3” in the City of Sedona.

B. Any applicant for the construction or installation of any antenna, antenna array and/or antenna supporting structure for use as an AM, FM, TV, or DTV Broadcasting facility must demonstrate, prior to submitting an application, a valid FCC Construction Permit for the proposed location (showing NAD 27 coordinates and appropriate conversion to NAD 83 coordinates) together with an FAA Determination of No Hazard to Air Navigation (Form 7460) for the same coordinates.

C. An antenna, antenna array and/or antenna supporting structure for use as an AM, FM, TV or DTV Broadcasting facility shall, in no event, exceed 299' feet in height.

D. Any antenna supporting structure, equipment enclosures and ancillary structures shall meet the minimum setback requirements for the land use district where they are located, except that where the minimum setback distance for an antenna supporting structure from any property line or public right of way is less than the height of the proposed antenna-supporting structure, the minimum setback distance shall be increased to equal the height of the proposed antenna supporting structure. However, in all instances, the minimum setback distance from the setback line of any residentially zoned property, with an inhabited residence or proposed residences, shall be at least 200% of the height of the entire proposed structure.

E. The entire antenna-supporting structure and all appurtenances shall be designed pursuant to the wind speed design requirements of ASCE 7-95, including any subsequent modification to those specifications; and

F. Any facility shall be illuminated in accordance with FAA requirements to provide aircraft obstruction lighting, where required. Any lighting required by the FAA must be of the minimum intensity and number of flashes per minute (i.e. the longest duration between flashes) allowable by the FAA. No strobes or other lighting shall be permitted unless required by the FAA.

G. New antenna-supporting structures shall maintain a galvanized gray finish or other accepted contextual or compatible color, except as required by federal rules or regulations.

H. The radio frequency emissions shall comply with FCC standards for such emissions on an individual and cumulative basis with any adjacent facilities. The applicant shall certify that any and all new services shall cause no harmful interference to the existing City of Sedona Public Safety Communications equipment.

I. Applicants shall provide for a fence or wall around the proposed facility that meets the requirements of Section 1704.01K of these Codes.

J. Landscaping and buffering shall be required around the perimeter of Development Areas, as required by Section 910 of these Codes except that the Planning and Zoning Commission may waive the required landscaping otherwise required under Section 910 of these Codes on one or more sides of the Development Areas or allow the placement of required landscaping elsewhere on the Development Area when the required landscape area is located adjacent to undevelopable lands or lands not in public view. Alternative landscaping may be approved by the Planning and Zoning Commission. Landscaping shall be installed on the outside of the perimeter fence or wall.

K. The only signage that is permitted upon an antenna-supporting structure, equipment enclosures, or fence (if applicable) shall be informational, and for the purpose of identifying the antenna-supporting structure, (such as ASR registration number) as well as the party responsible for the operation and maintenance of the facility, its current address and telephone number, security or safety signs, and property manager signs (if applicable). If more than two hundred twenty (220) voltage is necessary for the operation of the facility and is present in a ground grid or in the tower, signs located every twenty (20) feet and attached to the fence or wall shall display in large, bold, high contrast letters (minimum height of each letter: four (4) inches) the following: "HIGH VOLTAGE - DANGER."

L. Adverse Effects on Adjacent Properties.

1. New antenna-supporting structures shall be configured and located in a manner that shall minimize adverse effects including visual impacts on adjacent properties. The applicant shall demonstrate that alternative locations, configurations, and facility types have been examined and shall address in narrative and graphic form the feasibility of any alternatives that may have fewer adverse effects on adjacent properties than the facility, configuration, and location proposed.

2. The following attributes shall be considered from vantage points at adjacent properties, roadways and occupied structures:

    a. Height and location; and

    b. Mass and scale; and

    c. Materials and color; and

    d. Illumination; and

    e. Existing and proposed vegetation and intervening structures.

    f. Overall aesthetics of the proposed structure.

1705 NON COMMERCIAL AMATEUR WIRELESS FACILITY

An applicant proposing an amateur wireless facility which is sixty (60) feet or greater in all zoning districts shall obtain a Conditional Use Permit as set forth in Section 402 - Conditional Uses relative to the review criteria provided in Section 1703.03, prior to submittal for building permit approval and the initiation of construction.

A. Application Requirements:

    1. Site plan application in accordance with the site plan requirements of the Codes of the City of Sedona.

    2. Applicant's copy of current, valid FCC license for amateur radio operation.

    3. Site plan sketch showing all proposed structures (e.g. support structures, anchorage) and setbacks from such structures to property boundaries.

    4. Payment of application fee of $100.00.

B. Approval standards for amateur wireless facility in excess of sixty (60) feet in all zoning districts:

    1. Said facility shall be accessory to a legal, principal use on site (e.g. residence).

    2. Structures, including towers, shall meet the setback requirements for accessory uses for the zoning district in which the proposed facility shall be located.

    3. Applicant shall commit in writing that the facility will be erected in accordance with manufacturer's recommendations.

    4. If more than two hundred twenty (220) voltage is present in the ground grid or in the tower, a sign shall be attached to the tower and shall display in large bold letters the following: "HIGH VOLTAGE--DANGER.

    5. Applicant shall furnish evidence that the proposed facility meets or exceeds FCC Guidelines for Radio Frequency Radiation exposure.

1706 INTERFERENCE WITH PUBLIC SAFETY COMMUNICATIONS

In order to ensure that the City's public safety radio services will be free from objectionable technical interference, all applicants requesting a permit for a Wireless Communications Facility or an AM/FM/TV/DTV facility shall agree, in addition to any other requirements:

A. To demonstrate compliance with good engineering practices;

B. To provide the City a copy of all inter-modulation studies submitted to the FCC;

C. Not to induce objectionable technical interference to the City's public safety radio services;

D. To comply with FCC regulations regarding susceptibility to radio frequency interference, frequency coordination requirements, general technical standards for power, antenna, bandwidth limitations, frequency stability, transmitter measurements, operating requirements, and any and all other federal statutory and regulatory requirements relating to radio frequency interference (RFI);

E. In the case of collocation of telecommunications facilities either in the same location or on the same tower as the City's, to not cause or permit to be caused by its transmissions or other activities on the premises, objectionable technical interference of any kind whatsoever to the broadcasting transmissions, reception, or electromagnetic communications of the City; and

F. To pay for any studies requested by the City’s Director to determine if the applicant's telecommunications facilities are causing objectionable technical interference; and

G. Upon notification by the Director, if the operations of the applicant are causing objectionable technical interference, to immediately undertake all steps necessary to determine the cause of and eliminate such interference at the cost of the applicant. If said interference continues for a period in excess of 48 hours after notice from the Director, the City shall have the right to cause the applicant to cease operating the equipment that is causing the objectionable technical interference or to reduce the power sufficiently to ameliorate the objectionable technical interference until the condition causing said interference has abated.

1707 ABANDONMENT AND REMOVAL

A. Towers and antennae shall be removed, at the owner's expense, within one hundred eighty (180) days of cessation of use.

B. An owner wishing to extend the time for removal or reactivation shall submit an application stating the reason for such extension. The Director may extend the time for removal or reactivation up to sixty (60) additional days upon a showing of good cause. If the tower or antennae is not removed in a timely fashion, the City of Sedona may give notice that it will contract for removal within thirty (30) days following written notice to the owner. Thereafter, the City of Sedona may cause removal at the cost of the owner.

C. Upon removal of the wireless communication facility, the site shall be returned to its natural state and topography and vegetated consistent with the natural surroundings.